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7 UNITED STATES DISTRICT COURT  
8 FOR THE WESTERN OF WASHINGTON  
AT SEATTLE

9 In The Matter Of:

IN ADMIRALTY

10 THE COMPLAINT OF ELLSWORTH AND  
11 KATHLEEN SCHOBBER, AND THE  
12 MARITAL COMMUNITY THEREOF, AND  
13 CHRISTOPHER SCHOBBER, as owner or  
owner *pro hac vice* of the M/V SCHO-BOAT  
for Exoneration from or Limitation of  
Liability,

NO. 2:19-cv-00320

ORDER APPROVING NOTICE  
OF VALUE, DIRECTING  
CITATION AND ISSUING  
INJUNCTION

14 Petitioners.  
15

16 WHEREAS, it satisfactorily appears to the above-entitled Court:

17 1. That Ellsworth and Kathleen Schober, and the marital community thereof, and  
18 Christopher Schober (collectively "Petitioners"), as owner and owner *pro hac vice* of the M/V  
19 SCHO-BOAT, have duly filed their Complaint for Exoneration from or Limitation of Liability,  
20 therein praying for (a) the acceptance and approval of the deposit for cost by the Court; (b) due  
21 issuance of the usual Citation to the Marshal to issue notice of limitation proceeding to and  
22 against all persons claiming damages for any damage, loss, or injury to any person or property  
23 arising or resulting from the January 13, 2019 fire and destruction of the SCHO-BOAT; (c)  
24 due public notice to all persons of such Citation according to all applicable rules; and (d)  
25 issuance of an injunction restraining both the institution and further prosecution of any and all  
26 suits or actions or other proceedings of any

ORDER APPROVING NOTICE OF VALUE,  
DIRECTING CITATION AND ISSUING INJUNCTION - 1

ATTORNEYS AT LAW  
BAUER MOYNIHAN & JOHNSON LLP  
2101 FOURTH AVENUE - SUITE 2400  
SEATTLE, WASHINGTON 98121-2320  
(206) 443-3400

1 character whatsoever in any Court whatsoever (excepting this proceeding) against petitioners  
2 based on or connected with any claim or claims directly or indirectly related to the January 13,  
3 2019 fire described in the Complaint.

4 2. That with the Complaint, petitioners also filed a Notice of Value and a Motion for  
5 Order Re: Security For Costs seeking to deposit security for costs in the sum of \$500.00, and,  
6 thereafter, additional security in the amount of six percent (6%) per annum.

7 **ORDER**

8 THEREFORE, on motion on behalf of petitioners, appearing through their attorneys of  
9 record, Bauer Moynihan & Johnson LLP, this Court hereby enters its order as follows:

10 1. That, subject to further order of this Court, because the value of the vessel after the  
11 fire was zero there is no need to file security for limitation herein.

12 2. That the sum proposed in petitioner's Motion Re: Security for Costs in the amount of  
13 \$500.00, as duly filed, be now adjudged in all respects adequate and proper and is hereby  
14 accepted, as a deposit for costs herein.


15 3. That a Citation of this Court in due form according to its practices and complying  
16 with the applicable Federal Rules of Civil Procedure shall be issued by the Clerk forthwith  
17 against all persons claiming damages for any damage, loss, or injury of person or property  
18 arising or resulting from the January 13, 2019 fire citing them and requiring each of them to file  
19 their respective claims with the Clerk of this Court and to serve on or mail to the attorney for  
20 petitioners, Amy I. Paden, Bauer Moynihan & Johnson LLP, 2101 Fourth Avenue, Suite 2400,  
21 Seattle, Washington 98121, a copy thereof before or on the return date specified in said Citation  
22 being the 17 day of July, 2019, or other date not less than thirty (30) days after the issuance of  
23 said Monition unless for cause shown the return date is deferred by order of this Court.  
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1 4. That public notice of the Monition shall be given by the United States Marshal by  
2 publication of such notice once each week for four (4) consecutive weeks before the return date  
3 in the Seattle Daily Journal of Commerce as prescribed by Supplemental Rules for Certain  
4 Admiralty and Maritime Claims Rule F of the Federal Rules of Civil Procedures and Local  
5 Admiralty Rule 150.

6 5. That an injunction is hereby issued prohibiting, restraining, and staying both the  
7 institution and the further prosecution of any and all suits or actions or other legal proceedings  
8 of any character whatsoever in any court whatsoever (except only in this proceeding and this  
9 Court), against petitioners based on or connected with any claim directly or indirectly related to  
10 the January 13, 2019 fire as described in the Complaint.

11 6. That service of this order as restraining order shall be made within this District in the  
12 usual manner and in any other District by delivering a certified copy of this order to the person  
13 or persons to be restrained, or to their respective attorneys or representatives.

14  
15 DATED this 6<sup>th</sup> day of June, 2019.

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18   
19 The Honorable Barbara J. Rothstein  
20 United States District Court Judge

21  
22 Presented By:

23 BAUER MOYNIHAN & JOHNSON LLP

24  
25 /s/ Amy I. Paden

26 Amy I. Paden, WSBA 50784

Attorneys for Petitioners

ORDER APPROVING NOTICE OF VALUE,  
DIRECTING CITATION AND ISSUING INJUNCTION - 3

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